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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S): Mark Timothy Sullivan, et al.

EXAMINER: Beverly M. Flanagan

SERIAL NO: 09/933,606

GROUP ART UNIT: Office of Petitions

FILING DATE: August 20, 2001

REQUEST FOR CONSIDERATION OF PETITION UNDER 37 CFR 1.47 (a)

SIR:

Applicants' Previously Submitted A Petition to Permit Filing A Patent Application When An Inventor Refuses or Cannot Be Reached to sign the Oath or Declaration under 37 CFR 1.2 in response to Notice to File Missing Parts of Nonprovisional application under 37 CFR 1.53(b).

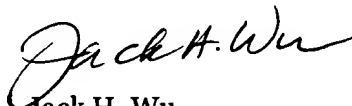
The Examiner issued a Decision Refusing Status under 37 CFR 1.47 (a) because the Declaration and Power of Attorney form submitted with the previous petition was improperly executed. Specifically, the Declaration was improperly altered using line throughs.

Enclosed herewith is a new Declaration and Power of Attorney form that has been properly executed in compliance with 35 USC 115 & 116 except for the inventor who has refused to sign the form.

Applicant's attorney respectfully request that this Request for Reconsideration be granted. All of the remaining documents submitted with the previous petition where accepted by the Examiner.

If there are any further questions or more discussion required, the Examiner is invited to call the Applicants' agent at the telephone number given below.
In view of the above, the application is now believed to be in condition for allowance. It is courteously requested that such allowance be granted at an early date.

Respectfully submitted,
Mark Timothy Sullivan et al.


Jack H. Wu
Patent Reg. No. 29,992

August 5, 2002
Agilent Technologies
Legal Department, M/S 51UPD
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OFFICE OF PETITIONS

AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
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P.O. Box 7599
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ORIGINALLY FILED

PATENT APPLICATION

ATTORNEY DOCKET NO. 10010323-1



IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Mark Timothy Sullivan et al

Serial No.: 09/933606

Examiner: Beverly M. Flanagan

Filing Date: Aug 20, 2001

Group Art Unit:

Title: Direct Combination Of Fiber Optic Light Beams

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OFFICE OF PETITIONS

COMMISSIONER FOR PATENTS
Washington, D.C. 20231

TRANSMITTAL LETTER FOR THE REQUEST FOR THE RECONSIDERATION OF PETITION

Sir:

This is in response to a Decision Refusing Status under 37 CFR 1.47 (a) mailed on
June 5, 2002.

() Executed Declaration and Power of Attorney. The above-identified application is the same application which the inventor executed by signing the enclosed declaration.

() Statutory basic filing fee () Utility \$740.00 () Design \$330.00

() Additional claim fees of \$

(X) Request for Reconsideration of Petition \$130.00.

() A Petition for Extension of Time for reply to Notice of Missing Parts is attached.

() one month \$110.00
() two months \$400.00
() three months \$920.00
() four months \$1440.00

Please charge to Deposit Account 50-1078 the sum of \$130.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25.

(X) A duplicate copy of this transmittal letter is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit: 8/5/02

Typed Name: Ann Marie Radcliffe

Signature: *Ann Marie Radcliffe*

Respectfully submitted,

Mark Timothy Sullivan et al

By *Jack H Wu*
Jack H Wu

Attorney/Agent for Applicant(s)
Reg. No. 29,992

Date: 8/5/02

Telephone No.: (408) 553-3060